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6 Of Attorneys for Forge Trust and Thomashefsky

7 **IN THE UNITED STATES BANKRUPTCY COURT**
8 **FOR THE DISTRICT OF OREGON**

9 In re:

10 B&G PROPERTY INVESTMENTS, LLC,
11 Debtor.

Case No. 22-60998-tmr11
Chapter 11

RESPONSE TO MOTION TO DISMISS
(Doc. 179)

12
13 **RESPONSE**

14 Creditors Forge Trust and Thomashefsky, Trustee (“Creditors”) hereby respond to
15 Launchpad Financial, LLC’s Motion to Dismiss (Doc. 179) as follows:

16 Pursuant to 11 U.S.C. 1112(b)(1), if this Court finds that there is cause to convert or
17 dismiss this case, Creditors request that the case be converted to a Chapter 7, as conversion
18 would be in the best interests of creditors and the estate compared to dismissal. A Chapter 7
19 trustee would likely obtain a much higher sale price of the Property compared to foreclosure
20 by Launchpad Financial. A Chapter 7 trustee would also be able to bring claims for equitable
21 subordination and fraudulent transfer to avoid DJ&M’s trust deed for the benefit of unsecured
22 creditors. Launchpad Financial would not be unduly prejudiced by conversion. If there is
23 clearly no equity in the Property, then a Chapter 7 trustee would abandon the Property.
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1-RESPONSE

1 For the foregoing reasons, conversion would better serve the interests of creditors and
2 the estate compared to dismissal, for purposes of Section 1112(b)(1).

3 DATED: May 31, 2023.

4 HORNECKER COWLING, LLP

5 /s/ Melisa A. Button

6 Melisa A. Button, OSB No. 116113

7 Of Attorneys for Forge Trust and Thomashefsky
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2-RESPONSE

CERTIFICATE OF SERVICE

I hereby certify that on May 31, 2023, the foregoing Response was served electronically via ECF to all parties included on the Court's CM/ECF electronic service list.

Dated: May 31, 2023.

/s/ Melisa A. Button

Melisa A. Button, OSB No. 116113

Of Attorneys for Forge Trust and Thomashefsky

3-RESPONSE